

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Alan Nix,

Plaintiff,

V.

Michale Scarborough, *et al.*,

Defendants.

C.A. No. 2:24-6318-RMG

ORDER

Plaintiff, proceeding *pro se*, filed this civil action against various persons allegedly involved in a property dispute. The matter was referred to the Magistrate Judge for pretrial processing. The Magistrate Judge issued a Proper Form Order on February 10, 2025, to afford Plaintiff an opportunity to provide the necessary information and paperwork to bring the case into proper form for evaluation and possible service of process. Plaintiff was warned that failure to provide the necessary information and paperwork within the timetable set in the Proper Form Order would make his case subject to dismissal. (Dkt. No. 8). The Proper Form Order was returned as undeliverable, utilizing the Charleston County Detention Center address provided by Plaintiff. Noting that Defendant had used another address, 1401 Densmore Circle, Mt. Pleasant, South Carolina, on the envelope in which he submitted his complaint, the Clerk then sent the Proper Form Order to that address. The Proper Form Order was not returned to the Court, but Plaintiff failed to submit the information required by the Proper Form Order.

The Magistrate Judge issued a R & R (Dkt. No. 20) on June 25, 2025, recommending that the case be dismissed for lack of prosecution under Rule 41(b). Plaintiff was given notice that a failure to timely file objections to the R & R would result in limited clear error review and waiver of the right to appeal the district court's order. (*Id.* at 4). Plaintiff filed no objections to the R & R.

Plaintiff has failed to prosecute this case and has failed to comply with the order of this Court. The Court **ADOPTS** the R & R of the Magistrate Judge (Dkt. No. 20) as the order of the Court, and this case is **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 41 of the Federal Rules of Civil Procedure.

AND IT IS SO ORDERED.

s/ Richard Mark Gergel
Richard M. Gergel
United States District Judge

July 15, 2025
Charleston, South Carolina